

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2641 – SB 2556

April 4, 2012

SUMMARY OF AMENDMENT (016258): Deletes all language after the enacting clause. Limits the offense of harassment by display of an image to cases in which the defendant communicates with another person or transmits or displays an image without legitimate purpose with the intent that the image will be viewed by the victim and the person intends the communication to be a threat of harm to the victim and a reasonable person would perceive the communication to be a threat of harm. Removes “frighten,” “intimidate,” and “emotional distress.”

Requires each local education agency (LEA), at the beginning of each school year, to provide teachers and counselors a copy of the policy along with information on the policy’s implementation, bullying prevention, and strategies to address bullying and harassment when it happens. Requires each LEA to provide training to teachers and counselors regarding implementation of such policy. Requires the Department of Education (DOE) to provide guidelines for such training and to provide recommendations of appropriate, available, and free bullying and harassment prevention resources. Requires each LEA, at the beginning of the school year, to make available to students and parents information relative to bullying prevention programs. Beginning August 1, 2013, and annually thereafter, requires each LEA to prepare and provide to the DOE a report concerning the number of bullying cases during the preceding year and the manner in which they were resolved or the reason they are still pending. Requires the DOE to submit an annual report to the Education Committees of the House of Representatives and the Senate regarding the number of bullying cases reported statewide, the number of LEAs implementing the provisions of this law, and any other information relative to the subject of bullying and harassment. Requires the principal, or the principal’s designee, of a middle school, junior high school, or high school to investigate reports of harassment, intimidation, bullying, or cyber-bullying.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

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Assumptions applied to amendment:

- Limiting criminal harassment to those circumstances in which communication with or the display of an image to another person is intended to threaten that person may narrow the prohibitive conduct but will not result in a significant decrease in the misdemeanor convictions.
- DOE will develop guidelines whereby the training will be integrated into a day of professional development/in-training already being offered; therefore, no significant fiscal impact to the LEAs.
- Any increase in the workloads for the DOE to provide bullying prevention training can be accommodated within existing resources without an increased appropriation or reduced reversion.
- No fiscal impact to the LEAs or the Department to provide the required annual reports.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/lsc